



July 11, 2007

VIA ELECTRONIC FILING

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Re: WT Docket No. 01-309

Dear Ms. Dortch:

This letter provides clarification regarding when Sony Ericsson Mobile Communications (USA), Inc.'s ("Sony Ericsson's") W710 handsets were in compliance with the FCC's Hearing Aid Compatibility ("HAC") rules.

Several carriers have made statements regarding when Sony Ericsson's W710 handset met the T3 standard. On March 30, 2007, SunCom Wireless, Inc. ("SunCom") stated that it started selling Sony Ericsson's W710 handset in December, 2006.¹ Originally, it reported to the FCC on January 12, 2007, that it had been informed by Sony Ericsson that the W710 handset had been approved as meeting the T3 rating for inductive coupling.² However, SunCom said that when it requested package labels for its existing W710 handset inventory later, Sony Ericsson indicated that the change in handset firmware needed to make the W710 compliant was not industrialized in its manufacturing facilities until March 22, 2007, and that only W710's shipped after March 22, 2007 were compliant.³

Additionally, on June 27, 2007, Long Lines Wireless said that it came into compliance with the inductive coupling requirements on January 26, 2007, the date on which it started selling Sony Ericsson W710 handsets.⁴

Sony Ericsson has been asked to clarify whether all W710 handsets were covered by the Commission's certification (ID PY7AF052041) as meeting a T3 standard on November 21, 2006, and if not, when an inductive coupling compliant version of the model W 710 handset was sold to these two wireless providers.

¹ See SunCom Wireless, Inc. Amendment to Petition For Waiver of Section 20.19(d)(2) of the Commission's Rules, WT Docket No. 01-309, dated March 30, 2007, at 1. ("SunCom Amendment")

² *Id.* at 1-2.

³ *Id.* at 2.

⁴ See Letter from Michael R. Bennet and Kenneth C. Johnson, attorneys for Long Lines Wireless, LLC to Ms. Marlene Dortch, Secretary, FCC, WT Docket No. 01-309, dated June 27, 2007, at 2.



Sony Ericsson

Sony Ericsson Mobile Communications (USA) Inc.

Sony Ericsson launched and released the W712a HAC compliant mobile to meet the FCC mandate for t-coil compatibility by September 15, 2006. The W712a is a variant of the W710i and its availability was communicated to Sony Ericsson customers. Neither of these customers took delivery of this device.

The W710i was not originally intended to be HAC compliant. It was anticipated that should the FCC accept the then-contemplated 10dB band differentiation in the HAC measurement ratings in the 850MHz for the GSM technology, the W710i would additionally be HAC compliant.

At the time the band differentiation was accepted the W710i was already in the FCC filing and review process as an original equipment filing. Upon the FCC's decision regarding the 10dB band differentiation Sony Ericsson knew that the HW design of the W710i would meet the RF requirements for hearing aid compatibility in the M-rating.

Sony Ericsson continued to offer the W712a along with the Z712a as HAC T-coil compliant offerings to its customers in accordance with the manufacturers requirements under the September 2006 mandate.

On October 10, 2006 Sony Ericsson received approval for a Permissive Change Request filed with the FCC to add the M-mode rating (M3) to the mobile W710i authorization. This Permissive Change did not require any HW changes to the production mobile product currently being manufactured. Therefore, all W710i models manufactured after October 10, 2006 were M3 HAC compliant. However, Sony Ericsson knew that the t-coil rating compliance, achievable with the HW earspeaker design for the W710i, was not fully compliant to the HAC requirements, specifically in the area of the Frequency Response requirement, without a firmware change.

On November 21, 2006 Sony Ericsson received approval for an additional Permissive Change Request filed with the FCC to add the T-mode rating (T3) to the mobiles W710i authorization. During this time the Original Equipment authorization of the W710i was being manufactured in a production factory at high volume quantities. Although the newly authorized T-coil compliant mobile was identical to the production model W710i via HW design, Sony Ericsson would need to initiate a firmware change for the handsets in the production factory in order to make the W710i compliant to the inductive coupling requirements defined by the ANSI Standard. This firmware change was documented, but the cut-over was not implemented immediately and therefore was not industrialized in the Sony Ericsson manufacturing production facilities until March 22, 2007. The W710i products shipped after March 22, 2007 are fully compliant with both RF and inductive coupling requirements and are rated M3 T3.

Sony Ericsson has been and continues to be compliant with the FCC HAC requirements and believes our communications concerning HAC handset offerings to our customers has been consistent for all. Nonetheless, it appears there was not a complete understanding at all levels of our customer's (SunCom and Long Lines Wireless)

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operations. We certainly regret any misunderstanding or mis-interpretation that SunCom and Long Line Wireless have regarding the compliant handsets and models offered for HAC compliance by Sony Ericsson.

We do believe that all parties have been diligent in complying with these requirements. Please let us know if we can be of any further assistance in this matter.

Regards,

Lee Hill by *Sharon*

Lee Hill

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